

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY BURNS,

Petitioner,

Case No. 06-14840

Honorable Paul D. Borman

v.

C. EICHENLAUB,

Respondent.

FILED  
APR 2 2007  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
EASTERN MICHIGAN

**OPINION AND ORDER GRANTING PETITIONER'S  
MOTION TO DISMISS WITHOUT PREJUDICE**

On October 26, 2006, Petitioner Gregory Burns, acting *pro se*, filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. On February 8, 2007, Respondent filed its response to Petitioner's petition. Petitioner is a federal prisoner challenging the loss of good conduct time credits. Before the Court now is Petitioner's Motion to Dismiss. For the following reasons, the Court grants Petitioner's motion.

Petitioner is incarcerated in the Federal Correctional Institution in Milan, Michigan. He is scheduled to be released to a halfway house in less than sixty days. On that basis, the Court finds that because Petitioner is scheduled to be released to a halfway house in less than sixty days, the issues raised in his petition are essentially moot, since he will be released from secure confinement. Petitioner has nothing to gain by pursuing his petition any further.

Accordingly, on the basis of the above, the Court **GRANTS** Petitioner's Motion to Dismiss without prejudice.

A handwritten signature in black ink, appearing to read "Paul D. Borman", written over a horizontal line.

Paul D. Borman  
United States District Court Judge

Date: 4-2-07